

**MAKING APPROPRIATIONS FOR THE DEPARTMENT OF  
THE INTERIOR AND RELATED AGENCIES, FOR THE FIS-  
CAL YEAR ENDING SEPTEMBER 30, 1995, AND FOR  
OTHER PURPOSES**

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SEPTEMBER 22, 1994.—Ordered to be printed

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Mr. YATES, from the committee of conference,  
submitted the following

**CONFERENCE REPORT**

[To accompany H.R. 4602]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4602) "making appropriations for the Department of the Interior and Related Agencies, for the fiscal year ending September 30, 1995, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 12, 13, 18, 21, 29, 45, 46, 71, 72, 83, 84, 85, 92, 93, 94, 96, 100, 104, 107, 108, 109, 110, 111, 114, 115, 117, 118, and 119.

That the House recede from its disagreement to the amendments of the Senate numbered 6, 24, 25, 26, 28, 31, 34, 40, 42, 44, 51, 53, 54, 59, 60, 61, 63, 64, 66, 68, 69, 76, 82, 87, 97, 102, 106, 112, 113, and agree to the same.

Amendment numbered 1:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: \$598,449,000; and the Senate agree to the same.

Amendment numbered 2:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: \$598,449,000; and the Senate agree to the same.

Implementation of the Applicant Violator System (AVS) by each State regulatory program has been funded through annual appropriations for the last several years. The managers expect the OSM and the States to continue to cooperate on AVS and to ensure that data improvements and system enhancements are implemented. To work, the AVS must contain up-to-date information supplied by each State and by OSM. The OSM should consult with the States on needed AVS enhancements and should request funds for implementing those improvements in annual budget requests. The AVS is especially important for across-State checking; that is, identifying companies and violators who have outstanding violations in different States. The States must actively participate in data entry and checking for outstanding violations so that all violations connected through ownership and control are addressed prior to permit issuance. The managers expect OSM to identify any problems with AVS implementation by the States in the fiscal year 1996 budget justification, along with recommendations for addressing those problems.

#### ABANDONED MINE RECLAMATION FUND

Amendment No. 38: Appropriates \$182,772,000 for the abandoned mine reclamation fund instead of \$172,404,000 as proposed by the House and \$193,831,000 as proposed by the Senate. Increases to the House position include \$5,000,000 to fund minimum program States at the \$1,500,000 level per State and \$5,368,000 for the rural abandoned mine program.

With respect to the Applicant Violator System, the managers agree that active participation by State regulatory agencies in data entry and checking for outstanding violations prior to issuing permits is essential to ensure compliance with existing law and regulations. This issue is discussed in more detail under Amendment No. 37.

Amendment No. 39: Earmarks \$1,500,000 for each minimum program State for abandoned mine reclamation instead of \$1,000,000 as proposed by the House and \$2,000,000 as proposed by the Senate.

Amendment No. 40: Strike the word "Federal" in reference to the use of emergency program funds carried over from previous fiscal years as proposed by the Senate. Prior year unobligated balances are available for use by the OSM in the Federally-run program as well as by the individual States that managed their own emergency reclamation programs.

#### BUREAU OF INDIAN AFFAIRS

##### OPERATION OF INDIAN PROGRAMS

Amendment No. 41: Appropriates \$1,526,778,000 for operation of Indian programs instead of \$1,527,786,000 as proposed by the House and \$1,525,399,000 as proposed by the Senate. The decrease from the amount proposed by the House consists of decreases of \$17,123,000 for tribal priority allocations, \$1,661,000 for non-recurring programs, and \$100,000 for special programs and pooled overhead for special higher education scholarships. These decreases are offset partially by increased of \$16,971,000 for other recurring

programs, \$605,000 for Central Office operations, and \$300,000 to restore partially general administration for Area Office operations.

For tribal priority allocations, the managers have not agreed to the transfer of non-educational facilities operations and maintenance from other recurring programs at this time. For non-recurring programs, there are the following decreases: \$961,000 for business development grants, \$200,000 for Cheyenne River Sioux prairie dog management (leaving \$1,000,000), and \$500,000 for water rights negotiation/litigation.

Within other recurring programs, the net increase of \$16,971,000 consists of the \$17,123,000 restoration for facilities operations and maintenance, and decreases of \$34,000 for the Great Lakes Indian Fish and Wildlife Commission, \$20,000 for the Mole Lake Tribe mining impacts, and \$98,000 for the Lake Roosevelt water quality study. Within Central Office operations, the net increase consists of increases of \$200,000 for lands records management, \$205,000 for personal property management, \$200,000 for records management, \$200,000 for financial management, and \$150,000 for the Office of Data Systems; and a decrease of \$350,000 for education program management. The Bureau may fund activities reduced in the Central Office from base funds and report to the Committees on any funds used.

The managers emphasize to the Bureau that any directives in either the House or Senate report which are not modified herein remain in effect, and the Bureau is expected to follow or respond to all such directives, in the timeframe indicated.

With regard to the road maintenance funds which have been transferred to tribal priority allocations, the managers expect these funds to be distributed as in the past during fiscal year 1995, while the Bureau prepares a Federal Register notice with the proposal for allocating the funds to tribal bases. The notice should also address how priorities for the use of these funds, in accordance with Federal Highway Trust Fund requirements, will be maintained after distribution to the tribes. The managers agree that no change in the distribution of these funds will occur until these issues are resolved satisfactorily, and expect the Bureau to work closely with the tribes to reach such a resolution.

With regard to the self-governance program, the managers agree that the Bureau should prepare the report identified by the Senate on workload before and after self-governance, and submit it to the Committees by March 15, 1995. With regard to increased workload at the Central Office due to compacting, the report should distinguish that portion of any such increased workload that should be handled by the Office of Self-Governance rather than the Bureau. With regard to impacts on non-compacting tribes, the managers note that the law authorizing the self-governance program does not allow such a result, and provides any tribe alleging violation of the law appropriate legal relief. The report should address the Bureau's efforts to ensure that noncompacting tribes are not impacted by the self-governance program.

The managers agree that the Bureau should continue to identify the Secretary's trust and inherently Federal responsibilities, with a range of assumptions over time up to a possible level of 100 percent compacting, and expect this process should be carried out

in the context of the five-year strategic plan and consistent with authorizing legislation. The managers note that this process should be continued with the direct participation of the tribes, and consistent with the definition that the Bureau and the tribes have been using to date. The managers also expect the Bureau to work with the self-governance tribes to reach a consensus on the definition of stable base funding, and how such funding will be provided as early in the year as possible, report the results to the Appropriations Committees, and implement them as soon thereafter as possible.

With regard to shortfall funds, these funds should be used as identified in the House report, but also may be used for the special purposes identified in past years, such as the Lummi education project. While agreeing not to place a timeframe on the use of these funds at this time, the managers will address this issue again as necessary, depending on the progress made on negotiating and reaching consensus with the tribes on the matters addressed in this report.

The managers expect the Department and the Bureau to include their findings on the Secretary's trust and inherently Federal responsibilities in the March 15 report. Based on the findings, the Bureau should describe how it plans to downsize and restructure the Central, Area and agency offices, consistent with assumptions regarding the level of self-governance compacting and contracting which is expected to occur. The Bureau should also describe how it plans to identify and negotiate tribal shares during fiscal year 1995.

With regard to the reconciliation of Individual Indian Money (IIM) accounts, as directed in the past, the Department should not proceed any further with developing an IIM reconciliation approach unless it has involved the Intertribal Monitoring Association and other account holders' representatives in this process.

The managers expect the Bureau to give consideration to a request for \$250,000 for attorneys' fees from the Alaska Legal Services. Within the \$800,000 provided for monitoring and enhancement of the salmon returns in the Yukon and Kuskokwim Rivers areas, the Bureau may provide \$400,000 for these funds to the Bering Sea Fishermen's Association for monitoring and fisheries enhancement. The managers agree there is \$250,000 for the Yurok Tribe's cadastral survey. Within the \$375,000 earmarked by both the House and Senate for Arkansas Riverbed surveys, \$200,000 may be made available to the Arkansas Riverbed Authority for its operations. The managers understand that funding is available within water rights negotiation/litigation to continue the Pyramid Lake/Fallon economic development plan, which includes the Newlands project.

The managers expect the Bureau to continue to fund the Intertribal Monitoring Association (ITMA) in fiscal year 1995 at a level which will allow ITMA to continue its role of monitoring and reporting to tribes, account holders and the Congress. There should be no reductions to ITMA funding unless such reductions are specifically related to changes in work mutually agreed upon to be accomplished under the contract. The managers also expect that there will be no changes in the manner of ITMA communications

with tribes, account holders or the Congress unless mutually agreed upon.

Amendment No. 42: Provides \$208,000 for cyclical maintenance of tribally owned fish hatcheries as proposed by the Senate instead of \$199,000 as proposed by the House.

Amendment No. 43: Modified language proposed by the Senate to place a cap on the amount of funding to be made available for fiscal year 1995 and to separate the amount of contract support for ongoing self-determination agreements entered into prior to fiscal year 1995 from that provided for new awards first entered into during fiscal year 1995. The House had no similar provision. The purpose of separating the amount available for ongoing agreements from that for new and expanded agreements is to stabilize the fund for ongoing awards and still provide contract support funding for new and expanded contracts. The Bureau is expected to implement procedures for administering the new Indian Self-Determination Fund, for which \$7,500,000 is provided, consistent with those of the Indian Health Service. The Bureau should fund new contracts at the 100 percent level.

The Bureau is expected to begin developing procedures for eventual transfer of contract support into each tribe's tribal priority allocation. Once this has been accomplished, the tribes will be able to manage their total program costs within their overall funding allocation.

The cap is not intended to limit the flexibility of tribes to reprogram within tribal priority allocations to obtain full recovery of indirect costs, if a shortfall in contract support were to occur. Accordingly, the managers anticipate that tribes, individually or in agreement with other tribes, may reprogram within tribal priority allocations without regard to the contract support ceiling. Reprogramming on a Bureau-wide basis is not authorized for this purpose.

Amendment No. 44: Provides \$72,580,000 for higher education scholarships and other purposes as proposed by the Senate instead of \$72,680,000 as proposed by the House.

Amendment No. 45: Provides that \$75,902,000 will remain available until expended as proposed by the House instead of \$75,735,000 as proposed by the Senate. The difference is \$167,000 for the Lake Roosevelt ferry under road maintenance.

Amendment No. 46: Provides that \$30,169,000 for road maintenance will remain available until expended as proposed by the House instead of \$30,002,000 as proposed by the Senate.

Amendment No. 47: Changes the date by which payments to Bureau-funded schools must be made to not later than July 15 instead of July 1 as proposed by the House and July 31 as proposed by the Senate. The managers expect the Bureau to accomplish all the preliminary paperwork well in advance of July 1, in order to allow the schools adequate time to return the documents to the Bureau prior to July 1. The schools are also expected to make every effort to return all required documents before July 1, so that obligation and payment of the funds may proceed as soon thereafter as possible.

Amendment No. 48: Revises language proposed by the Senate regarding allocation of Indian school equalization program (ISEP)

funds, to require the Secretary of the Interior to establish a Joint Working Group on ISEP Funds Allocation to examine possible methods of improving the basis on which ISEP funds are allocated each year. The House had no similar provision. The Working Group should include representatives from BIA, the Department, the Department of Education, national Indian education groups, and individual schools, both BIA and tribally operated, and should represent the widest possible spectrum of views on this issue, as well as balanced geographic representation. To the extent possible, a variety of schools should be represented, including day, boarding and dorm schools, as well as remote schools and those adjacent to public facilities. The Working Group should be formed immediately and should complete its work by submitting a report to Congress no later than April 30, 1995. The report should include specific recommendations for changing the allocation method. The Working Group should conduct the widest possible consultation with tribes and Indian schools as part of its process.

Amendment No. 49: Limits the number of schools to be funded by the Bureau of Indian Affairs for the next two fiscal years to the number in the Bureau system as of September 1, 1995, or 187 instead of permanently as proposed by the Senate. The House had no similar provision. The managers are very concerned that current legislation and regulations do not provide an adequate framework for making decisions regarding under what circumstances additional schools should be allowed into the Bureau system. The managers are also concerned about the potential for large increases in the number of schools to be funded at a time when the budget for the schools will not be able to be increased significantly. Therefore, the managers expect the Bureau and the Department to proceed as quickly as possible to work with tribes, schools and the authorizing committees to develop legislation and related regulations which will more adequately address this situation. The managers will review the status of this effort at the end of the two year period in order to determine if this language should be continued and possibly made permanent.

#### CONSTRUCTION

Amendment No. 50: Appropriates \$130,270,000 for construction instead of \$131,030,000 as proposed by the House and \$123,230,000 as proposed by the Senate. The decrease below the amount proposed by the House consists of increases of \$100,000 for contract support, \$1,500,000 for the Colorado River Tribes irrigation project, \$350,000 for the Hogback irrigation project, \$750,000 for the Walker River irrigation project, and \$100,000 for Washoe land acquisition; and a decrease of \$3,560,000 for the following irrigation projects: \$1,300,000 for the Navajo Indian project, \$1,000,000 for Ute Mountain Ute, \$250,000 for Fort Belknap (Milk River), \$600,000 for San Carlos, \$200,000 for Quechan, \$210,000 for Jemez Pueblo.

Of the amount provided for the Walker River project, \$250,000 shall be used only for the tribal cost share of water monitoring by the U.S. Geological Survey. The managers understand this is the final year of construction costs related to this requirement.

The managers agree that the BIA and the Bureau of Reclamation should complete a new Memorandum of Agreement, and should ensure that any administrative costs to be taken from safety of dams projects are held to a minimum. The managers agree that the BIA should submit the report requested by the Senate on fuel storage tanks in AK by 10/1/94, and based on the findings, should consider including funding in the 1996 budget request.

Amendment No. 51: Allows funds available for irrigation rehabilitation and construction on the Gila River reservation to be used to purchase and pump water in 1995 as proposed by the Senate. The House had no similar provision.

The managers understand that this authority would be used only if the level of the San Carlos Reservoir is below 400,000 acre-feet as of March 1, 1995.

Amendment No. 52: Revises language proposed by the Senate to provide temporary authority for facilities improvement and repair and construction projects in excess of \$100,000 that are provided to tribally controlled grant schools under P.L. 100-297, as amended. The House had no similar provision. Under this language, 43 CFR Part 12 will be used for regulatory requirements, except for Section 12.61. Payment schedules are to be negotiated between the Secretary and the grantee. This authorization is intended as an interim measure for grant amendments negotiated in fiscal year 1995 only. Although the Department has conducted tribal consultation on the grant process for facilities improvement and repair and construction and the use of 43 CFR Part 12, the managers expect the Secretary to consult further with Indian tribes on a permanent implementation process, and based on the consultation, to submit recommendations to the appropriate Committees of the Congress for any necessary statutory amendments.

#### INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

Amendment No. 53: Appropriates \$77,096,000 for Indian land and water claim settlements as proposed by the Senate instead of \$82,896,000 as proposed by the House.

Amendment No. 54: Provides \$73,051,000 for implementation of settlements as proposed by the Senate instead of \$78,851,000 as proposed by the House.

#### NAVAJO REHABILITATION TRUST FUND

Amendment No. 55: Appropriates \$2,000,000 for the Navajo Rehabilitation Trust Fund instead of no funds as proposed by the House and \$2,466,000 as proposed by the Senate.

#### TERRITORIAL AND INTERNATIONAL AFFAIRS

##### ADMINISTRATION OF TERRITORIES

Amendment No. 56: Appropriates \$80,239,000 for Administration of Territories instead of \$83,139,000 as proposed by the House and \$77,339,000 as proposed by the Senate. The decrease from the amount proposed by the House consists of decreases of \$1,500,000 for the Compact impact grant to Guam, \$1,000,000 for a grant to the Virgin Islands for crime control, and \$500,000 for technical as-

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

## INDIAN HEALTH SERVICE

## INDIAN HEALTH SERVICES

Amendment No. 95: Appropriates \$1,713,052,000 for Indian health services instead of \$1,706,102,000 as proposed by the House and \$1,715,052,000 as proposed by the Senate. Increases to the House position include \$4,812,000 to restore the fiscal year 1994 level, \$5,977,000 to continue funding, provided in the facilities appropriation in fiscal year 1994, for increasing the level of need funded for certain tribes, and \$211,000 for the Perry Point supply facility. The increases are partially offset by decreases in hospitals and clinics of \$750,000 for diabetes programs and \$100,000 for AIDS prevention and treatment, and a decrease of \$3,200,000 in the alcohol and substance abuse program.

The managers agree that:

1. The fetal alcohol syndrome project at the University of Washington should receive its fair share of the funds provided for inflation;
2. Of the funds provided for program increases for alcohol and substance abuse treatment and prevention, at least \$100,000 should be used to help offset the operational shortfalls in the Gallup, NM alcoholism project;
3. The IHS should coordinate carefully with the tribes in the Portland Area prior to reaching a decision on the transfer of the Native American Rehabilitation Association alcoholism project from the hospitals and clinics program to the urban program;
4. The self-governance program should be expanded through new compacts but these compacts should not be negotiated at the expense of program funding for other tribes;
5. The IHS, in consultation with all the tribes, must address the organizational changes needed, such as closing and consolidating area offices and delegating area office and headquarters functions to the field, to free up funding for additional self-governance compacts in fiscal year 1995 and beyond;
6. The IHS and the BIA should prepare a coordinated plan for addressing the unmet need for child sexual abuse treatment and prevention programs for American Indians and Alaska Natives, along with cost estimates, and the report should be delivered to the House and Senate legislative and Appropriations Committees within 90 days of enactment of this Act; and
7. The Bay Mills child sexual abuse treatment and prevention program should be treated as a recurring program in fiscal year 1995 and subsequent years. The managers expect all programs funded under the services appropriation to be treated as recurring unless expressly stated to the contrary.

Amendment No. 96: Deletes language inserted by the Senate earmarking \$250,000 for the training of American Indians in the field of psychology, as authorized by Section 217 of the Indian Health Care Improvement Act of 1992. The House had no similar provision.

The managers understand that the fiscal year 1995 IHS scholarship program will support 18 continuing students and 6 new



scholarship awards in the area of clinical psychology. The managers urge the IHS and the Department to consider carefully the need for additional scholarship programs in the field of psychology and to incorporate funding estimates for such programs, including the Indians into Psychology program, in the IHS priorities for the fiscal year 1996 budget.

#### INDIAN HEALTH FACILITIES

Amendment No. 97: Appropriates \$253,767,000 for Indian health facilities as proposed by the Senate instead of \$253,892,000 as proposed by the House. The changes to the House position include an increase of \$375,000 for design of the Parker, Arizona outpatient facility and a decrease of \$500,000 for injury prevention activities in the facilities and environmental health support program.

The managers are concerned that the Winnebago and Omaha tribes in Nebraska are still in disagreement with respect to the site selection for a new inpatient facility. The Committees recommended funding for the Winnebago hospital design in this appropriation with the understanding that there was a firm agreement between the Tribes with respect to the site selection process and hospital construction. The managers are hopeful that a permanent agreement on the Winnebago hospital can be reached shortly; however, given the great unfunded need of the projects on the IHS construction priority list, available funds need to be devoted to those projects that are underway or ready to proceed to planning, design and construction. If an agreement has not been reached when the Committees are considering the fiscal year 1996 appropriation for IHS, the Committees intend to recommend that the \$1,400,000 provided for Winnebago hospital design in fiscal year 1995 be reprogrammed to other ongoing IHS facility construction projects at the beginning of fiscal year 1996.

The managers are aware of concerns about the inclusion of programs which have been operated under P.L. 93-638 into self-governance compacts. The managers encourage the IHS, and particularly the Office of Environmental Health and Engineering, to work with the self-governance tribes to negotiate activities which could be incorporated into self-governance compacts without affecting adversely non-compacting tribes. Where possible, funds for one-time or non-recurring activities may be folded into ongoing compacts but should not be considered a part of the base.

The managers agree that:

1. Funds provided for the facilities program should be distributed in accordance with a methodology that addresses the fluctuating annual workload and maintains parity among the IHS areas and the tribes as the workload shifts;

2. Funding for sanitation facilities should be used in accordance with the criteria outlined in House report 103-551; and

3. The IHS sanitation program should continue to provide connection fees for Indian homes in non-Indian communities but within an IHS service area, and provide system expansions or extensions when necessary for currently unserved Indian homes. This issue is discussed in more detail in Amendment No. 100.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Amendment No. 98: Designates the IHS clinic in Stilwell, Oklahoma as the "Wilma P. Mankiller Indian Health Clinic" as proposed by the Senate. The House had no similar provision. The amendment also permits the recently Federally recognized Ponca Tribe of Nebraska to use funds, appropriated in fiscal year 1994, to purchase a building for a health care facility for the Tribe, and permits the IHS to enter into a P.L. 93-638 contract for the operation of the Dena A Coy center in Anchorage for treatment of pregnant and postpartum women for substance abuse.

Amendment No. 99: Provides for IHS retention of funds for meals served at IHS facilities as proposed by the Senate and makes the provision permanent. The House had no similar provision.

Amendment No. 100: Deletes Senate provision mandating the inclusion of certain Native villages in Alaska in the IHS sanitation facilities priority system. The House had no similar provision.

The Indian Health Service has indicated it will consider the needs of Alaska Natives in the non-Native communities in Alaska where circumstances inhibit the community's ability to meet water supply and waste disposal mandates.

The managers understand that the IHS will provide sanitation facilities to some Indian homes in non-Indian communities if the non-Indian community is in an IHS service area and the homes (new or existing) are currently not served by the community system. Some examples follow.

a. IHS can fund the construction of a service line between an Indian home and an existing water main, and IHS can pay the connection fee.

b. If a subdivision of Indian homes is constructed, IHS can fund the sanitation facilities for the homes inside the subdivision plus fund upgrades to the central treatment/storage systems made necessary to accommodate the added Indian homes (a proportional amount).

c. IHS can fund a connection between an Indian and non-Indian community to provide improved service to the Indian community.

d. IHS can fund a prorated amount for a new regional solid waste facility in locations where there was no existing solid waste collection and disposal system.

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

Amendment No. 101: Strikes a reference to House-passed authorizing legislation as proposed by the Senate and inserts new language to provide for the orderly completion of projects begun under the recently expired authorization. The amount provided for special programs for Indian children includes funds for continuation awards for Indian-controlled schools.

The managers agree that the distribution of funds between grants to local education agencies and special programs for Indian children should be based on the House-recommended levels. Re-

alignment of funds between these programs, up to a maximum of \$500,000, may be accomplished via reprogramming to the extent needed to comply with the final reauthorization law.

## OTHER RELATED AGENCIES

### OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

#### SALARIES AND EXPENSES

Amendment No. 102: Appropriates \$24,936,000 for the Office of Navajo and Hopi Indian Relocation as proposed by the Senate instead of \$26,936,000 as proposed by the House. The change to the House position is a decrease of \$2,000,000 for housing.

### INSTITUTE OF AMERICAN INDIAN AND ALASKA

#### NATIVE CULTURE AND ARTS DEVELOPMENT

#### PAYMENT TO THE INSTITUTE

Amendment No. 103: Appropriates \$11,213,000 for payment to the Institute instead of \$12,713,000 as proposed by the House and \$9,812,000 as proposed by the Senate. The decrease below the amount proposed by the House is \$1,500,000 for new campus construction.

The managers have agreed to provide \$1,500,000 for new campus construction, making a total of \$4,500,000 that has been provided to date out of the \$8,000,000 to be provided from this appropriation for the project. The managers are concerned about the ability and plans of the Institute to raise the remaining  $\frac{2}{3}$  of the funds needed for Phase I of this project through grants or private fundraising, and will expect to see significant progress in raising the balance of funding needed prior to recommending the balance of appropriations under this agreement.

### SMITHSONIAN INSTITUTION

#### SALARIES AND EXPENSES

Amendment No. 104: Appropriates \$314,454,000 for salaries and expenses as proposed by the House instead of \$312,755,000 as proposed by the Senate.

The \$50,000 increase provided for the Mpala Center, Kenya is for facilities and equipment on a one-time only basis.

The managers agree that the Smithsonian should identify a qualified individual who is currently a permanent employee of the Smithsonian to supervise the planning, allocation, and administration of the Latino programming funds and the implementation of recommendations of the Task Force on Latino Issues. The managers are concerned about the issues raised in the Report of the Task Force on Latino Issues and expect the Smithsonian to act expeditiously on the findings.

The managers expect the Smithsonian's exhibit surrounding the *Enola Gay* to recognize properly and respectfully the significant contribution to the early termination of World War II, and the sav-